

REMARKS

The Office Action of September 17, 2003 presents the examination of claims 1-7, claims 8-14 having been restricted from the application in the Office Action of June 13, 2003.

Claims 8-14, directed to non-elected subject matter, are canceled herein. Applicants reserve the right to pursue the canceled claims in an application filed pursuant to 35 USC § 120.

Claims 1-7 stand rejected under 35 U.S.C. § 112, first paragraph, for alleged lack of enablement of methods of treating actinic keratosis. Applicants have deleted reference to treatment from claim 1, thus obviating this rejection.

Claims 1-7 stand rejected under the doctrine of obviousness-type double patenting over claims 7-16 of U.S. Patent 6,458,371. Applicants submit herewith a Terminal Disclaimer effective to overcome this rejection. The fee of \$110.00 required for consideration of the Terminal Disclaimer is attached hereto.

The present application well-describes and claims patentable subject matter. The favorable action of allowance of the pending claims and passage of the application to issue is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is

respectfully requested to contact Mark J. Nuell (Reg. No. 36,623) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment: Terminal Disclaimer with the fee of \$110.00